

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

Filed 6-13-01
Clerk, U. S. District Court
Western District of Texas
By [Signature]
Deputy

CROSSROADS SYSTEMS, (TEXAS), INC.,
a Texas Corporation,

Plaintiff,

vs.

PATHLIGHT TECHNOLOGY, INC., a
Delaware corporation,

Defendant.

CIVIL ACTION NO. A-00CA-248-JN

CONSENT JUDGMENT

PATHLIGHT TECHNOLOGY, INC., a
Delaware corporation,

Counterclaimant,

v.

CROSSROADS SYSTEMS, (TEXAS), INC.,
a Texas Corporation,

Counterdefendant.

Plaintiff Crossroads Systems, Inc., a Texas corporation (“Crossroads”) and Advanced Digital Information Corporation, a Washington corporation, and its majority-owned subsidiaries, including Pathlight Technology, Inc. (“Pathlight”), a Delaware corporation and a wholly-owned subsidiary of Advanced Digital Information Corporation (collectively “ADIC”), having reached agreement on the settlement of the claims and counterclaims made in this action and, based upon that agreement, hereby consent and stipulate to entry of judgment in this action against Defendant Pathlight and in favor of Plaintiff Crossroads as follows:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. This Court has jurisdiction over the subject matter of this action and has personal jurisdiction over the parties.
2. Crossroads is the owner by assignment of all right, title and interest in and to U.S. Patent No. 5,941,972 (the “’972 Patent”).
3. ADIC acknowledges and agrees that it has made, used, sold, offered for sale and/or imported products that infringe the claims of the ‘972 Patent. Specifically, ADIC acknowledges and agrees that the Pathlight SAN Router and Pathlight SAN Gateway products infringe the claims of the ‘972 Patent.
4. The ‘972 Patent is presumed to be valid and enforceable under 35 U.S.C. § 282. ADIC hereby acknowledges and agrees that the claims of the ‘972 patent are valid and enforceable.
5. Commencing immediately from the date of entry of this Consent Judgment,

ADIC and any of its subsidiaries, officers, directors, partners, agents, servants and employees, and any and all persons or entities acting or attempting to act in concert or participation therewith, are perpetually enjoined and restrained from directly or indirectly making, using, selling, offering for sale or importing any product that infringes the '972 Patent, including but not limited to the Pathlight SAN Router and Pathlight SAN Gateway products, except under license from Crossroads.


6. The claims made against Pathlight are hereby dismissed with prejudice on the basis of the settlement reached and the admissions of infringement, validity and enforceability of the '972 Patent. The counterclaims made against Crossroads are hereby dismissed with prejudice on the basis of the settlement reached and the admissions of infringement, validity and enforceability of the '972 Patent. This Court, however, shall retain jurisdiction of this case for this Consent Judgment.

7. The parties hereby consent and agree to entry of this Consent Judgment without further notice and waive service thereof.

8. Each party shall bear its own costs and attorneys' fees.

IT IS SO STIPULATED.

Dated: June 13, 2001

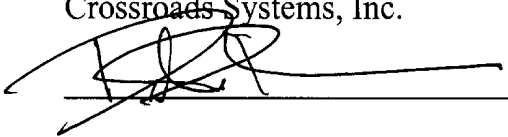


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Dated: June 13, 2001



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IT IS SO ORDERED.

Dated: June 13, 2001



JUDGE, UNITED STATES DISTRICT COURT